

**LAW OFFICES OF**  
**McGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC**  
A PROFESSIONAL LIMITED LIABILITY COMPANY  
PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW  
8321 OLD COURTHOUSE ROAD, SUITE 200  
VIENNA, VIRGINIA 22182-3817  
TELEPHONE: (703) 761-4100  
FACSIMILE/DATA: (703) 761-2375; 761-2376  
E-MAIL: ADMIN @ MCGINNIPLAW.COM  
SENDER'S E-MAIL: PMILLER @ MCGINNIPLAW.COM

**RECEIVED**  
**CENTRAL FAX CENTER**  
**OCT 06 2009**

SEAN M. MCGINN  
PHILLIP E. MILLER†  
FREDERICK E. COOPERRIDER†

SCOTT M. TULINO  
DONALD A. DIPAULA†  
JEOYUH LIN†  
CHRISTOPHER R. MONDAY†  
JOSEPH P. HRUTKA†  
JEREMY S. HOWARD†  
SAM S. SAHOTA†#  
FARHAD SHIR, Ph.D.\*\*

†MEMBER OF BAR OTHER THAN VA  
# OF COUNSEL  
\*\*REGISTERED PATENT AGENT

October 6, 2009

**VIA FACSIMILE**

To: Examiner Thuong Nguyen  
Group Art Unit: 2455  
U.S.P.T.O.

Facsimile No.: (571) 273-8300

From: Phillip E. Miller

Facsimile No.: (703) 761-2375 or 76

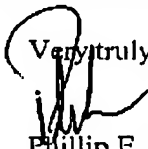
Re: Enclosed Amendment Under 37 CFR §1.116 including  
Demand for Withdrawal of Finality  
U.S. Patent Application Serial No. 10/058,264  
Docket No.: NEC01P260-H1a (WAK.100)

Dear Examiner Nguyen:

Enclosed for filing is an Amendment in response to the Final Office Action mailed on July 15, 2009, which should place the above-referenced case in condition for allowance.

Thank you in advance for your kind consideration on this case.

Very truly yours,

  
Phillip E. Miller

PEM/SMM/geb

Enclosures

Total pages transmitted: 14